

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

FILED

APR 15 2021

PATRICK KEANEY
Clerk, U.S. District Court

By Deputy Clerk

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 21-CR-024-RAW

JIMMY LOUIS NORTHCUTT, JR.,

Defendant.

SUPERSEDING INDICTMENT

The Federal Grand Jury charges:

COUNT ONE

**MURDER IN INDIAN COUNTRY
[18 U.S.C. §§ 1111(a), 1151 & 1153]**

On or about July 18, 2019, within the Eastern District of Oklahoma, in Indian Country, the defendant, **JIMMY LOUIS NORTHCUTT, JR.**, an Indian, willfully, deliberately, maliciously, and with premeditation and malice aforethought, did unlawfully kill Brian Doherty, with a firearm, in violation of Title 18, United States Code, Sections 1111(a), 1151, and 1153.

COUNT TWO

**USE, CARRY, BRANDISH, AND DISCHARGE OF A FIREARM DURING
AND IN RELATION TO A CRIME OF VIOLENCE
[18 U.S.C. § 924(c)(1)(A)]**

On or about July 18, 2019, within the Eastern District of Oklahoma, the defendant, **JIMMY LOUIS NORTHCUTT, JR.**, did knowingly use, carry, brandish, and discharge a firearm, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, to wit: Murder in Indian Country, as alleged in Count One of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT THREE

**CAUSING THE DEATH OF A PERSON IN THE COURSE OF A VIOLATION OF
TITLE 18 U.S.C. § 924(c)
[18 U.S.C. §§ 924(j)(1)]**

On or about July 18, 2019, within the Eastern District of Oklahoma, in Indian Country, the defendant, **JIMMY LOUIS NORTHCUTT, JR.**, did knowingly use, carry, brandish, and discharge a firearm, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, to wit: Murder in Indian Country, as alleged in Count One of this Indictment, and in the course of this violation caused the death of a person through the use of a firearm, which killing is a murder, as defined in Title 18 United States Code § 1111, in that the defendant, **JIMMY LOUIS NORTHCUTT, JR.**, did murder and unlawfully kill Brian Doherty with a firearm, in violation of Title 18, United States Code, Section 924(j)(1).

COUNT FOUR

**BURGLARY IN THE SECOND DEGREE IN INDIAN COUNTRY
[18 U.S.C. §§ 1151, 1153 & 21 Okla. Stat. § 1435(A)]**

On or about July 18, 2019, within the Eastern District of Oklahoma, in Indian Country, the defendant, **JIMMY LOUIS NORTHCUTT**, an Indian, did break and enter, into a structure and erection, in which property was kept, with intent to steal any property therein and to commit any felony, in violation of Title 18, United States Code, Sections 1151, 1153, and Title 21, Oklahoma Statutes, Section 1435(A).

COUNT FIVE

**FELON IN POSSESSION OF A FIREARM
[18 U.S.C. §§ 922(g)(1) & 924(a)(2)]**

On or about July 18, 2019, in the Eastern District of Oklahoma, the defendant, **JIMMY LOUIS NORTHCUTT, JR.**, having been convicted of a crime punishable by imprisonment for

a term exceeding one year, and knowing of such conviction, did knowingly possess in and affecting commerce, a firearm, to wit: one (1) Ruger, Model P95DC, 9mm Luger caliber, semi-automatic pistol, serial number 311-76425, which had been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT SIX

**POSSESSION OF STOLEN FIREARM
[18 U.S.C. §§ 922(j) & 924(a)(2)]**

On or about July 18, 2019, in the Eastern District of Oklahoma, the defendant, **JIMMY LOUIS NORTHCUTT, JR.**, did knowingly possess a stolen firearm, to wit: one (1) Ruger, Model P95DC, 9mm Luger caliber, semi-automatic pistol, serial number 311-76425, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the firearm was stolen, in violation of Title 18, United States Code, Sections 922(j) and 924(a)(2).

FORFEITURE ALLEGATION
[18 U.S.C. § 924(d) & 28 U.S.C. § 2461(c)]

The allegations contained in Counts One, Two, Three, Four, Five, and Six of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

Upon conviction of the violations alleged in Counts One, Two, Three, Four, Five, and Six of this Indictment, involving violations of Title 18, United States Code, Sections 922(g)(1), 922(j), 924(a)(2), 924(c)(1)(A), 924(j)(1), 1111(a), 1151, and 1153, and Title 21, Oklahoma Statutes, Section 1435(A), the defendant, **JIMMY LOUIS NORTHCUTT, JR.**, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code,


Section 2461(c), all firearms and ammunition involved in the commission of the offenses, including, but not limited to: one (1) Ruger, Model P95DC, 9mm Luger caliber, semi-automatic pistol, serial number 311-76425.

A TRUE BILL:

CHRISTOPHER J. WILSON
Acting United States Attorney

Pursuant to the E-Government Act,
the original indictment has been filed
under seal in the Clerk's Office.

s / Foreperson
FOREPERSON OF THE GRAND JURY


T. CAMERON MCEWEN, AL Bar #7161-R67M
Assistant United States Attorney